



USAID | HAITI

FROM THE AMERICAN PEOPLE

AMENDMENT No. 9

HAITI RECONSTRUCTION GRANT AGREEMENT (HRGA)

BETWEEN

**THE GOVERNMENT OF THE UNITED
STATES OF AMERICA**

AND

THE GOVERNMENT OF HAITI

AMENDEMENT No. 9

ACCORD DE DON RELATIF A LA RECONSTRUCTION D'HAITI (ADRH)

ENTRE

**LE GOUVERNEMENT DES ETATS-UNIS
D'AMERIQUE**

ET

LE GOUVERNEMENT D'HAITI

DATED: 26 SEP., 2012

DATÉ DU : 26 SEP. 2012

AMENDMENT NUMBER 9 dated _____ 2012, (the "Amendment"), to the Haiti Reconstruction Grant Agreement between the Government of the United States of America, acting through the United States Agency for International Development, hereinafter referred to as "USAID," and the Government of Haiti, acting through the Ministry of Planning and External Cooperation, hereinafter referred to as the "Grantee."

WHEREAS, the Grantee and USAID (collectively, the "Parties") entered into the Haiti Reconstruction Grant Agreement, dated May 13, 2011, as amended, (the "HRGA" or the "Agreement");

WHEREAS, to achieve the Pillar Objectives of the HRGA, USAID's total contribution (the "Grant") was estimated at One Billion Three Hundred Seventy-Eight Million Eight Hundred Seventy-Seven Thousand US Dollars (US\$1,378,877,000), which will be provided in increments subject to the availability of funds to USAID for this purpose and the mutual agreement of the Parties to proceed at the time of each subsequent increment to this Agreement;

WHEREAS, the Parties desire to amend this Agreement to:

1. Increase the amount of the USAID Grant to-date by adding One Hundred Seventy-One Million Seven Hundred Seventy-Eight Thousand U.S. Dollars (US\$171,778,000) allocated to Pillars A, B, C, D and Program Development and Program Administrative

AMENDEMENT NUMERO 9, _____ 2012, (« l'Amendement ») de l'Accord de Don Relatif à la Reconstruction d'Haïti entre Le Gouvernement des Etats-Unis d'Amérique, agissant par le biais de l'Agence Américaine pour le Développement International, ci-après dénommée l'« USAID », et le Gouvernement Haïtien, agissant par le biais du Ministère de la Planification et de la Coopération Externe, ci-après dénommé le « Bénéficiaire ».

CONSIDERANT QUE, le Bénéficiaire et l'USAID, (collectivement dénommé, les « Parties ») ont signé un Accord de Don Relatif à la Reconstruction d'Haïti, daté du 13 mai 2011, tel qu'amendé, (« l'ADRH » ou « l'Accord »);

CONSIDERANT QUE, pour atteindre l'Objectif des Piliers poursuivis dans le cadre de l'ADRH, la contribution totale (le « Don ») estimée a été approuvée comme étant de Un Milliard Trois Cent Soixante Dix Huit Millions Huit Cent Soixante Dix Sept Mille Dollars Américains (\$US1.378.877.000), qui sera fournie par tranche selon la disponibilité des fonds fournis à l'USAID à cette fin et suivant l'accord mutuel des Parties lorsqu'il s'agira d'effectuer chacun des versements subséquents dans le cadre dudit Accord;

CONSIDERANT QUE, les Parties désirent amender le présent Accord pour:

1. Augmenter le montant du Don à date de l'USAID en ajoutant Cent Soixante Onze Millions Sept Cent Soixante Dix Huit Mille Dollars Américains (\$US171,778,000) alloué aux Piliers A, B, C, D et Développement du Programme et Coûts Administratifs du

Costs, as defined in Annex 1, distributed as follows: Pillar A, Infrastructure and Energy, \$17,660,000; Pillar B, Food and Economic Security, \$76,747,262.77; Pillar C., Health and Other Basic Services, \$39,170,762.50; Pillar D, Governance and Rule of Law, \$26,959,974.73 and Program Development and Program Administrative Costs, \$11,240,000.

WHEREAS, the Parties desire to update Annex 3, USAID's Financial Plan and Obligation Budget, to show a new total USAID grant to-date obligated under the Agreement of Nine Hundred Seventy-Six Million Two Hundred Twenty-Two Thousand Six Hundred Fifty-One U.S. Dollars (US\$976,222,651.00).

NOW, THEREFORE, the Agreement is amended as follows:

ARTICLE 3. Contributions of the Parties.

Section 3.1. (a) The Grant.

The Agreement is amended by deleting Section 3.1.(a) in its entirety and replacing it with the following:

(a) The Grant. To help achieve the Pillars set forth in this Agreement, USAID, pursuant to the Foreign Assistance Act of 1961, as amended, hereby grants to the Grantee under the terms of the Agreement an increase of US\$171,778,000. This increment increases the total USAID Grant to-date for each particular Pillar not to exceed:

Programme tel que défini à l'Annexe 1, distribué comme suit : Pilier A, Infrastructure et Energie, \$17.660.000 ; Pilier B, Sécurité Alimentaire et Economique, \$76.747.262.77 ; Pilier C, La Sante et Autres Services de Base, \$39.170.762.50, Pilier D, Gouvernance et Etat de Droit, \$26.959.974.73 et Développement du Programme et Couts Administratifs du Programme, \$11.240.000.

CONSIDERANT QUE, les Parties désirent actualiser l'Annexe 3, Plan financier et budget d'obligation de l'USAID, pour y porter un nouveau total obligé à date de l'Accord de Neuf Cent Soixante Seize Millions Deux Cent Vingt Deux Mille Six Cent Cinquante et Un Dollars Américains (\$US976.222.651.00).

PAR CONSEQUENT, l'Accord est amendé comme suit:

ARTICLE 3. Contributions des Parties.

Section 3.1. (a) Le Don.

L'Accord est amendé en éliminant la Section 3.1.(a) dans sa totalité et en le remplaçant par ce qui suit:

(a) Le Don. En vue d'aider à atteindre les Piliers poursuivis dans le cadre du présent Accord, l'USAID, conformément au «Foreign Assistance Act» de 1961, tel qu'amendé, par la présente octroie au Bénéficiaire, aux termes de cet Accord, un montant additionnel de \$US171.778.000. Ce montant augmente le montant total du Don de L'USAID à date pour chacun des Piliers spécifiques ne dépassant pas les montants suivants:

PILLAR A - INFRASTRUCTURE AND ENERGY: Three Hundred Forty Million Eight Hundred Fifty-Seven Thousand Two Hundred Ninety-Three U.S. Dollars (US\$340,857,293);

PILLAR B - FOOD AND ECONOMIC SECURITY: Two Hundred Twenty-Eight Million Nine Hundred Sixty-Six Thousand Five Hundred Twenty-Five and 77/100 U.S. Dollars (US\$228,966,525.77);

PILLAR C - HEALTH AND OTHER BASIC SERVICES: Two Hundred Fifty-One Million Four Hundred Ninety-Nine Thousand Eight Hundred Sixty-Two and 50/100 U.S. Dollars (US\$251,499,862.50);

PILLAR D - GOVERNANCE AND RULE OF LAW: Ninety-Eight Million Seven Hundred Thirteen Thousand Four Hundred Twelve and 73/100 U.S. Dollars (US\$98,713,411.73);

PROGRAM DEVELOPMENT AND PROGRAM ADMINISTRATIVE COSTS: Fifty-Six Million One Hundred Eighty-Five Thousand Five Hundred Fifty-Eight U.S. Dollars (US\$56,185,558).

The total amount to be granted to the Grantee under this obligation is One Hundred Seventy-One Million Seven Hundred Seventy-Eight Thousand U.S. Dollars (US\$171,778,000).

Annex 3. USAID Financial Plan and Obligation Budget.

The USAID Financial Plan and Obligation Budget

PILIER A - INFRASTRUCTURE ET ENERGIE : Trois Cent Quarante Millions Huit Cent Cinquante Sept Mille Deux Cent Quatre Vingt Treize Dollars Américains (\$US340.857.293);

PILIER B - SECURITÉ ALIMENTAIRE ET ECONOMIQUE : Deux Cent Vingt Huit Millions Neuf Cent Soixante Six Mille Cinq Cent Vingt Cinq et 77/100 Dollars Américains (\$US228.966.525.77);

PILIER C - SANTE ET AUTRES SERVICES DE BASE : Deux Cent Cinquante et Un Millions Quatre Cent Quatre Vingt Dix Neuf Mille Huit Cent Soixante Deux et 50/100 Dollars Américains (\$US251.499.862.50) ;

PILIER D - GOUVERNANCE ET ETAT DE DROIT : Quatre Vingt Dix Huit Millions Sept Cent Treize Mille Quatre Cent Douze et 73/100 Dollars Américains (\$US98.713.413.73);

DEVELOPPEMENT DU PROGRAMME ET COUTS ADMINISTRATIFS DU PROGRAMME : Cinquante Six Millions Cent Quatre Vingt Cinq Mille Cinq Cent Cinquante Huit Dollars Américains (\$US56.185.558).

Le montant total à fournir, sous forme de don au Bénéficiaire comme décaissement est un montant de Cent Soixante et Onze Millions Sept Cent Soixante Dix Huit Mille Dollars Américains (\$US171.778.000).

Annexe 3. Budget Financier et d'Obligation de l'USAID.

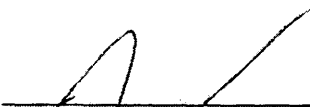
Le Plan Financier et Budget d'Obligation de

included in Annex 3 to this Amendment substitutes entirely for the Financial Plan and Obligation Budget approved under the HRGA in Section 3.1. (d).

Except as amended herein, the Agreement between the Governments of the United States and Haiti, dated May 13, 2011 as amended, remains in full force and effect.

IN WITNESS THEREOF, the Government of the United States of America and the Grantee, each acting through its duly authorized representatives, have caused this Amendment to be signed in two (2) originals in their names and delivered as of the day and year first above written.

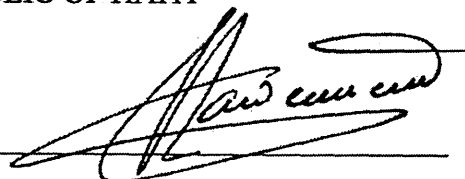
UNITED STATES OF AMERICA

By: 

Name: Herbert Smith

Title: Acting Mission Director, USAID/Haiti

REPUBLIC OF HAITI

By: 

Name: Marie Carmelle Jean Marie

Title: Minister of Planning and External Cooperation, a.i.

l'USAID, inclus à l'Annexe 3 de cet Amendement remplace dans sa totalité le Plan Financier et Budget d'Obligation approuvé dans le cadre de l'ADRH dans la Section 3.1. (d).

Sauf tel qu'amendé dans la présente, l'Accord intervenu entre les Gouvernements des Etats-Unis d'Amérique et de la République d'Haïti, daté du 13 mai 2011, tel qu'amendé, demeure en vigueur et de plein effet.

EN FOI DE QUOI, le Gouvernement des Etats-Unis d'Amérique et le Bénéficiaire, chacun agissant par l'intermédiaire de leurs représentants, dûment autorisés, signeront en leurs noms le présent Amendement qui sera émis en doubles originaux le jour et an que dessus.

LES ETATS-UNIS D'AMERIQUE

Par: 

Nom: Herbert Smith

Titre: Director a Interim, USAID/Haiti

LA REPUBLIQUE D'HAÏTI

Par: 

Nom: Marie Carmelle Jean Marie

Titre: Ministre de la Planification et de la Coopération Externe, a.i.

ANNEX 3. FINANCIAL PLAN AND OBLIGATIONS
HAITI RECONSTRUCTION GRANT AGREEMENT (HRGA)
FY 2011 - 2014
AMENDMENT NO. 9

Pillar / Activity	Original Obligation	Previous Obligation	Total Obligation for Amend 9	Total Amount Obligated to Date	Total Estimated Remaining Obligations	Total Planned USAID Contribution
	FY 2010/2012 ESF SUP					
Pillar A: Infrastructure and Energy	284,633,577	323,197,293	17,860,000.00	340,857,293.00	16,384,707.00	357,222,000
Shelter	59,761,000	88,018,716	6,073,000.00	94,091,716.00	(34,330,716.00)	59,761,000
Energy	138,182,577	150,968,577	11,587,000.00	162,555,577.00	49,195,423.00	211,751,000
Ports	66,690,000	84,210,000	-	84,210,000.00	1,500,000.00	85,710,000
Pillar B: Food and Economic Security	917,460,000	152,219,263	76,747,262.77	223,966,525.77	52,646,474.23	471,516,000
Infrastructure for Agricultural Sector	56,455,000	54,355,000	13,200,000.00	67,555,000.00	30,131,000.00	97,686,000
Ag. Services and Inst. Strengthening	8,987,000	8,987,000	-	8,987,000.00	-	8,987,000
Rural Economic Growth and Development	7,152,000	37,931,263	39,029,262.77	76,960,525.77	62,037,474.23	138,998,000
Market Access and Value Chains	4,343,000	4,343,000	-	4,343,000.00	-	4,343,000
Natural Resource and Management	14,809,000	24,654,000	9,845,000.00	34,499,000.00	41,371,000.00	75,870,000
Macro Economic Foundation for Growth	-	8,635,000	1,855,000.00	10,490,000.00	25,225,000.00	35,715,000
Financial Sector	-	1,928,000	1,208,000.00	3,136,000.00	4,622,000.00	7,758,000
Private Sector Competitiveness	-	6,890,000	6,864,000.00	13,754,000.00	13,263,000.00	27,017,000
Economic Opportunity	-	4,496,000	4,746,000.00	9,242,000.00	6,000,000.00	15,242,000
Pillar C: Health and Other Basic Services	89,515,000	212,329,100	39,120,752.50	251,465,852.50	122,338,137.50	374,538,000
Health	89,515,000	191,612,800	28,922,165.20	220,534,965.20	106,296,330.80	326,831,296
People with Disabilities	9,500,000	11,488,702	-	11,488,702.00	264,002.00	11,752,704
Education	0	9,227,598	10,248,597.30	19,476,195.30	16,775,804.70	36,252,000
Pillar D: Governance and Rule of Law	78,200,000	74,553,631	26,959,974.73	99,713,611.73	46,083,588.27	147,597,000
Rule of Law and Human Rights	13,593,000	26,580,000	7,609,000.00	34,189,000.00	14,705,000.00	48,894,000
Public Institutions & Civil Society	58,607,000	42,804,461	18,296,000.00	61,100,461.00	36,862,539.00	97,963,000
Protection for Vulnerable Populations	-	2,050,000	-	2,050,000.00	(2,050,000.00)	-
Disaster Readiness	-	318,976	1,054,974.73	1,373,950.73	(423,950.73)	950,000
Program Development and Program Administrative Costs	29,998,000	44,945,553	11,280,000.00	56,185,553.00	31,219,142.00	87,396,000
Program Design and Learning	10,758,000	14,138,100	1,850,000.00	15,988,100.00	4,771,604.00	20,759,704
Administration and Oversight	18,338,000	30,807,453	9,390,000.00	40,197,458.00	26,438,838.00	66,636,296
TOTAL	856,669,577	1,504,444,631	121,776,000.00	976,222,661.00	402,854,349.00	1,378,577,000